95TH CONGRESS
1ST SESSION

H. R. 8422

IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 1977

Ordered to be printed with the amendment of the Senate

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To amend titles XVIII and XIX of the Social Security Act to provide payment for rural health clinic services, and for other purposes.

~~*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*~~, ~~That (a) section 1832 (a) of the Social Security Act is amended—~~

~~(1) by striking out "paragraph (2) (B)" in paragraph (1) and inserting in lieu thereof "subparagraphs (B) and (D) of paragraph (2)"; and~~

~~(2) by striking out the period at the end of paragraph (2) (C) and inserting in lieu thereof "; and" and~~

by adding the following new subparagraph at the end of paragraph (2):

"(D) rural health clinic services."

(b) Section 1833(a) of such Act is amended—

(1) by striking out "and" at the end of paragraph (1);

(2) by inserting "(except those services described in subparagraph (D) of section 1832(a)(2))" in paragraph (2) after "1832(a)(2)";

(3) by striking out the period at the end of paragraph (2) and inserting in lieu thereof ", and"; and

(4) by inserting the following new paragraph after paragraph (2):

"(3) in the case of services described in section 1832(a)(2)(D), 80 percent of costs which are reasonable and related to the cost of furnishing such services or on such other tests of reasonableness as the Secretary may prescribe in regulations, including those authorized under section 1861(v)(1)(A)."

(c) Section 1861 of such Act is amended by adding at the end thereof the following new subsection:

"Rural Health Clinic Services

"(aa)(1) The term 'rural health clinic services' means—

"(A) physicians' services and such services and

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~~supplies as are covered under section 1861 (s) (2) (A) if furnished as an incident to a physician's professional service, and~~

~~"(B) such services furnished by a primary care practitioner and such services and supplies furnished as an incident to his service as would otherwise be covered if furnished by a physician or as an incident to a physician's service,~~

~~when furnished to an individual as an outpatient of a rural health clinic.~~

~~"(2) The term 'rural health clinic' means a facility which—~~

~~"(A) is primarily engaged in providing rural health clinic services;~~

~~"(B) in the case of a facility which is not a physician-directed clinic, has an arrangement (consistent with the provisions of State and local law relative to the practice, performance, and delivery of health services) with one or more physicians (as defined in subsection (r) (1)) under which provision is made for the periodic review by such physicians of covered services furnished by primary care practitioners, the supervision and guidance by such physicians of primary care practitioners, the preparation by such physicians of such medical orders for care and treatment of clinic~~

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~~patients as may be necessary, and the availability of such physicians for such referral of patients as is necessary and for advice and assistance in the management of medical emergencies; and in the case of a physician-directed clinic, such clinic has one or more of its staff physicians perform the activities accomplished through such an arrangement;~~

~~"(C) maintains clinical records on all patients;~~

~~"(D) has arrangements with one or more hospitals meeting the requirements under this title for the referral and admission of patients requiring inpatient services or such diagnostic or other specialized services as are not available at the clinic;~~

~~"(E) has policies, which are developed with the advice of (and with provision for review of such policies from time to time) a group of professional personnel, including one or more physicians and one or more primary care practitioners, to govern the services referred to in subparagraph (A) which it provides;~~

~~"(F) has a physician or primary care practitioner responsible for the execution of such policies relating to the provision of the clinic's services;~~

~~"(G) directly provides routine diagnostic services, including clinical laboratory services as prescribed in regulations by the Secretary, and has prompt access to~~

~~additional diagnostic services from facilities meeting requirements under this title;~~

~~"(H) has available for administering to patients of the rural health clinic at least such drugs and biologicals as are determined by the Secretary to be necessary for the treatment of emergency cases (as defined in regulations) and has appropriate procedures or arrangements in compliance with State and Federal law for storing, administering, and dispensing any drugs and biologicals; and~~

~~"(I) meets such other requirements as the Secretary may find necessary in the interest of the health and safety of the individuals who are furnished services by the clinic.~~

~~For the purposes of this title, such term includes only a facility which (i) is located in a rural area designated by the Secretary as having medically underserved populations under section 1302(7) of the Public Health Service Act, (ii) has filed an agreement with the Secretary by which it agrees not to charge any individual or other person for items or services for which such individual is entitled to have payment made under this title, except for the amount of any deductible or coinsurance amount imposed with respect to such items or services (not in excess of the amount customarily charged for such items and services by such clinic),~~

~~pursuant to subsections (a) and (b) of section 1833, (iii) employs a primary care practitioner, and (iv) is not a rehabilitation agency or a facility which is primarily for the care and treatment of mental diseases. A facility that is in operation and qualifies as a rural health clinic under this title or title XIX and that subsequently fails to satisfy the requirement of clause (i) shall be considered, for purposes of this title and title XIX, as still satisfying the requirement of such clause.~~

~~"(3) The term 'primary care practitioner' means, for the purposes of this subsection, a nurse practitioner or physician assistant who performs such services as such individual is legally authorized to perform (in the State in which he performs such services) in accordance with State law (or the State regulatory mechanism provided by State law) and who meets such training, education, and experience requirements (or any combination thereof) as the Secretary may prescribe in regulations.".~~

~~(d) Section 1862(a)(3) of such Act is amended by striking out "in such cases" and inserting in lieu thereof "in the case of rural health clinic services, as defined in section 1861(aa)(1), and in other cases".~~

~~(e) Section 1861(s)(2) of such Act is amended~~

~~(1) by striking out "and" at the end of subparagraph (C)(ii);~~

~~(2) by inserting "and" at the end of subparagraph (D); and~~

~~(3) by adding the following new subparagraph at the end thereof:~~

~~"(E) rural health clinic services;".~~

~~(f) The second sentence of section 1861(s) of such Act is amended by inserting ", rural health clinic," after "physician's office".~~

~~(g) Section 1861(a) of such Act is amended—~~

~~(1) by inserting "or whether a facility therein is a rural health clinic as defined in section 1861(aa)(2)," in the first sentence after "home health agency,";~~

~~(2) by inserting "rural health clinic," in the second sentence after "nursing facility,"; and~~

~~(3) by inserting "rural health clinic," in the last sentence after "facility," each time it appears therein.~~

~~(h) The amendments made by this section shall apply to services rendered on or after the first day of the third calendar month which begins after the date of enactment of this Act.~~

~~SEC. 2. (a) Paragraph (2) of section 1905(a) of the Social Security Act is amended to read as follows:~~

~~"(2)(A) outpatient hospital services and (B) consistent with State law permitting such services, rural health clinic services (as defined in subsection (l)) and~~

any other ambulatory services which are offered by a rural health clinic (as defined in subsection (l)) and which are otherwise included in the plan;".

(b) Section 1905 of such Act is amended by adding after subsection (k) the following new subsection:

"(l) The terms 'rural health clinic services' and 'rural health clinic' have the meanings given such terms in section 1861(aa), except that (A) clause (ii) of section 1861(aa)(2) shall not apply to such terms, and (B) the physician arrangement required under subparagraph (B) of such section shall only apply with respect to rural health clinic services and, with respect to other ambulatory care services, the physician arrangement required shall be only such as may be required under the State plan for those services.".

(c) Section 1902(a) of such Act is amended—

(1) by striking out the semicolon at the end of paragraph (13) and inserting in lieu thereof "; and", and by adding at the end of such paragraph the following new subparagraph:

"(F) for payment for services described in section 1905(a)(2)(B) provided by a rural health clinic under the plan of 100 percent of costs which are reasonable and related to the cost of furnishing such services or based on such other tests of reasonableness, as the Secretary may prescribe in regula-

~~tions under section 1833(a)(3) or, in the case of services to which those regulations do not apply, on such tests of reasonableness as the Secretary may prescribe in regulations under this subparagraph,";~~

~~and~~

~~(2) by inserting ", or by reason of the fact that the plan provides for payment for rural health clinic services only if those services are provided by a rural health clinic" before the semicolon at the end of paragraph (23).~~

~~(d) Section 1910 of such Act is amended—~~

~~(1) by amending the heading to read as follows: "CERTIFICATION AND APPROVAL OF SKILLED NURSING FACILITIES AND OF RURAL HEALTH CLINICS";~~

~~(2) by striking out "(a)" and inserting in lieu thereof "(a)(1)";~~

~~(3) by striking out "(b)" and inserting in lieu thereof "(2)"; and~~

~~(4) by adding at the end thereof the following new subsection:~~

~~"(b)(1) Whenever the Secretary certifies a facility in a State to be qualified as a rural health clinic under title XVIII, such facility shall be deemed to meet the standards for certification as a rural health clinic for purposes of providing rural health clinic services under this title.~~

~~"(2) The Secretary shall notify the State agency administering the medical assistance plan of his approval or disapproval of any facility in that State which has applied for certification by him as a qualified rural health clinic.".~~

~~(c) Section 1866(e)(2) of such Act is amended by striking out "section 1910" and inserting in lieu thereof "section 1910(a)".~~

~~(f) The amendments made by this section shall apply to medical assistance provided, under a State plan approved under title XIX of the Social Security Act, on and after the first day of the first calendar quarter that begins more than six months after the date of enactment of this Act.~~

~~SEC. 3. (a) The Secretary of Health, Education, and Welfare (hereinafter in this Act referred to as the "Secretary") shall provide, through demonstration projects, reimbursement on a cost basis for services provided by physician-directed clinics in urban medically underserved areas for which payment may be made under title XVIII of the Social Security Act and, notwithstanding any other provision of title XVIII, for services provided by primary care practitioners employed by such clinics which would otherwise be covered under such title if provided by a physician.~~

~~(b) The demonstration projects developed under sub-~~

~~section (a) shall be of sufficient scope and carried out on a broad enough scale to allow the Secretary to evaluate fully—~~

~~(1) the relative advantages and disadvantages of reimbursement on the basis of costs and fee for service for physician-directed clinics employing a primary care practitioner;~~

~~(2) the appropriate method of determining the compensation for physician services on a cost basis for the purposes of reimbursement of services provided in such clinics;~~

~~(3) the appropriate definition for such clinics;~~

~~(4) the appropriate criteria to use for the purposes of designating urban medically underserved areas; and~~

~~(5) such other possible changes in the present provisions of title XVIII of the Social Security Act as might be appropriate for the efficient and cost-effective reimbursement of services provided in such clinics.~~

~~(c) Grants, payments under contracts, and other expenditures made for demonstration projects under this section shall be made in appropriate part from the Federal Hospital Insurance Trust Fund (established by section 1817 of the Social Security Act) and the Federal Supplementary Medical Insurance Trust Fund (established by section 1841 of the Social Security Act). Grants and payments under con-~~

~~tracts may be made either in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purpose of this section. With respect to any such grant, payment, or other expenditure, the amount to be paid from each trust fund shall be determined by the Secretary, giving due regard to the purposes of the demonstration projects.~~

~~(d) The Secretary shall submit to the Congress, no later than January 1, 1981, a complete, detailed report on the demonstration projects conducted under subsection (b). Such report shall include any recommendations for legislative changes which the Secretary finds necessary or desirable as a result of carrying out such demonstration projects.~~

~~(e) As used in this section, the term "primary care practitioner" has the meaning given such term in section 1861(aa)(3) of the Social Security Act.~~

~~SEC. 1. (a) The Secretary, directly or through contracts with or grants to public or private agencies or organizations, shall develop and carry out demonstration projects to provide reimbursement under title XVIII for services provided in organized centers offering comprehensive outpatient mental health services.~~

~~(b) The demonstration projects developed under subsec-~~

~~tion (a) shall be of sufficient scope and carried out on a broad enough scale to allow the Secretary to evaluate fully—~~

~~(1) the relative advantages of various types of reimbursement, including reimbursement on a cost basis for outpatient mental health services;~~

~~(2) the relative effects on utilization and cost of services resulting from (A) various definitions for outpatient mental health services covered under title XVIII of the Social Security Act (when provided by a center described in subsection (a)) and (B) various limitations on such services;~~

~~(3) the appropriate definition for such a center;~~

~~(4) the appropriate definition of and qualification for individuals who provide services in such centers for which reimbursement is made under title XVIII or this section, including their appropriate professional relationships; and~~

~~(5) such other changes as might be appropriate for the more efficient and cost-effective reimbursement of outpatient mental health services provided under title XVIII of the Social Security Act.~~

~~(c) Grants, payments under contracts, and other expenditures made for demonstration projects under this section shall be made in appropriate part from the Federal~~

~~Hospital Insurance Trust Fund (established by section 1817 of the Social Security Act) and the Federal Supplementary Medical Insurance Trust Fund (established by section 1841 of the Social Security Act). Grants and payments under contracts may be made either in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purpose of this section. With respect to any such grant payment, or other expenditure, the amount to be paid from each trust fund shall be determined by the Secretary, giving due regard to the purposes of the demonstration projects.~~

~~(d) The Secretary shall submit to the Congress, no later than January 1, 1981, a complete, detailed report on the demonstration projects conducted under subsection (b). Such report shall include any recommendations for legislative changes in title XVIII of the Social Security Act which the Secretary finds necessary or desirable as a result of carrying out such demonstration projects.~~

~~(e) In the case of any demonstration project under subsection (a), the Secretary may waive compliance with the requirements of title XVIII of the Social Security Act insofar as such requirements relate to methods of payment for services provided; and costs incurred in such project in excess of those which would otherwise be reimbursed or paid~~

~~under such title may be reimbursed or paid to the extent that such waiver applies to it (with such excess being borne by the Secretary).~~

~~SEC. 5. If the Secretary acquires the Space Center Memorial Hospital in Nassau Bay, Texas, for the purpose of transferring to it the activities and functions of the Public Health Service hospital in Galveston, Texas, the Secretary may close the Public Health Service hospital in Galveston, Texas.~~

RURAL HEALTH CLINIC SERVICES

MEDICARE AMENDMENTS

SECTION 1. (a) Section 1832(a) of the Social Security Act is amended—

(1) by striking out "paragraph (2)(B)" in paragraph (1) and inserting in lieu thereof "subparagraphs (B) and (D) of paragraph (2)"; and

(2) by striking out the period at the end of paragraph (2)(C) and inserting in lieu thereof "; and" and by adding the following new subparagraph at the end of paragraph (2):

"(D) rural health clinic services.".

(b) Section 1833(a) of such Act is amended—

(1) by striking out "and" at the end of paragraph (1);

(2) by inserting "(except those services described in subparagraph (D) of section 1832(a)(2))" in paragraph (2) after "1832(a)(2)";

(3) by striking out the period at the end of paragraph (2) and inserting in lieu thereof ", and"; and

(4) by inserting the following new paragraph after paragraph (2):

"(3) in the case of services described in section 1832(a)(2)(D), 80 percent of costs which are reasonable and related to the cost of furnishing such services or on such other tests of reasonableness as the Secretary may prescribe in regulations, including those authorized under section 1861(v)(1)(A).".

(c) Section 1833 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(i) The Secretary is authorized to waive the provisions of subsection (b) of this section with respect to rural health clinic services and require in lieu thereof copayments by an individual receiving such services in cases in which he determines that such an alternative system is less costly. Such copayments shall not exceed $3 per visit to a rural health clinic and shall not exceed $60 per calendar year.".

(d) Section 1861 of such Act is amended by adding at the end thereof the following new subsection:

"Rural Health Clinic Services

"(aa)(1) The term 'rural health clinic services' means—

"(A) physicians' services and such services and supplies as are covered under subsection (s)(2)(A) if furnished as an incident to a physician's professional service,

"(B) such services furnished by a physician assistant or nurse practitioner as he is legally authorized to provide in the jurisdiction in which he performs such services, and such services and supplies furnished as an incident to his service, as would otherwise be covered if furnished by a physician or as an incident to a physician's service, and

"(C) in the case of a rural health clinic located in an area in which there exists a shortage of home health services (as defined in subsection (m)) due to a shortage of home health agencies (as defined in subsection (o)), as determined by the Secretary, such services as would constitute home health services if furnished by a home health agency (without regard to the number of such services furnished by such rural health clinic), if such

clinic meets such other conditions as the Secretary may find necessary in the interest of the health and safety of individuals who are furnished such services by such clinic,

when furnished by a rural health clinic to an individual as a primary care patient.

"(2) The term 'rural health clinic' means a facility which—

"(A) is primarily engaged in providing rural health clinic services;

"(B) has an arrangement (consistent with the provisions of State and local law relative to the practice, performance, and delivery of health services) with one or more physicians (as defined in subsection (r)(1)) under which provision is made for the periodic review by such physicians of rural health clinic services for which payment may be made under this title furnished by physician assistants and nurse practitioners, and for the supervision and guidance by such physicians or physician assistants and nurse practitioners;

"(C) provides for the preparation by the supervising physicians, physician assistants, and nurse practitioners of medical orders for care and treatment of clinic patients, and the availability of such physicians for such referral and consultation for patients as is neces-

sary, and for advice and assistance in the management of medical emergencies;

"(D) maintains clinical records on all patients;

"(E) has arrangements with one or more hospitals (as defined in subsection (e)) for the referral or admission of patients requiring inpatient services or such diagnostic or other specialized services as are not available at the clinic;

"(F) has written policies to govern the management of the clinic and all the services it provides;

"(G) has appropriate procedures or arrangements, in compliance with applicable State and Federal law, for storing, administering, and dispensing drugs and biologicals;

"(H) has appropriate procedures for utilization review;

"(I) directly provides routine diagnostic services (as prescribed by the Secretary) consistent with the provisions of State and local law relative to the practice, performance, and delivery of health services, and has prompt access to additional diagnostic services from facilities meeting requirements under this title; and

"(J) meets such other requirements as the Secretary may find necessary in the interest of the health and

safety of the individuals who are furnished services by the clinic.

For purposes of this title, such term includes only a facility which (i) is located in (I) a rural area which is designated by the Secretary under section 1302(7) of the Public Health Service Act as having a medically underserved population, (II) an area (other than an urbanized area, as defined by the Bureau of the Census) in which the supply of medical services is not sufficient to meet the needs of individuals residing therein, or (III) an urbanized area (as so defined) if the majority of the patients served by such facility reside in an area described in clause (I) or (II), (ii) has filed an agreement with the Secretary by which it agrees not to charge any individual or other person for items or services for which such individual is entitled to have payment made under this title, except for the amount of any deductible or coinsurance amount imposed with respect to such items or services (not in excess of the amount customarily charged for such items and services by such clinic), pursuant to subsections (a), (b), and (i) of section 1833, (iii) employs a physician assistant or nurse practitioner, and (iv) is not a rehabilitation agency or a facility which is primarily for the care and treatment of mental diseases.

"(3) The term 'physician assistant' or the term 'nurse practitioner' means, for the purposes of this subsection, a

physician assistant or nurse practitioner who performs, under the supervision of a physician (as defined in subsection (r)(1)), such services, as he is legally authorized to perform (in the State in which he performs such services) in accordance with State law (or the State regulatory mechanism provided by State law) and who meets such training, education, and experience requirements (or any combination thereof) as the Secretary may prescribe in regulations.".

(e) Section 1862(a)(3) of such Act is amended by striking out "in such cases" and inserting in lieu thereof "in the case of rural health clinic services, as defined in section 1861(aa)(1), and in other cases".

(f) Section 1861(s)(2) of such Act is amended—

(1) by striking out "and" at the end of subparagraph (C)(ii);

(2) by inserting "and" at the end of subparagraph (D); and

(3) by adding the following new subparagraph at the end thereof:

"(E) rural health clinic services;".

(g) Section 1864(a) of such Act is amended—

(1) by inserting "or whether a facility therein is a rural health clinic as defined in section 1861(aa)(2)," in the first sentence after "home health agency,";

(2) by inserting "rural health clinic," in the second sentence after "nursing facility,"; and

(3) by inserting "rural health clinic," in the last sentence after "facility," each time it appears therein.

(h) Section 1122(b)(1) of the Social Security Act is amended by inserting after the term "health care facility" the following: "(including a rural health clinic as defined in section 1861(aa)(2) of this Act)".

MEDICAID AMENDMENTS

SEC. 2. (a) Paragraph (2) of section 1905(a) of the Social Security Act is amended to read as follows:

"(2)(A) outpatient hospital services and (B) consistent with State law permitting such services, rural health clinic services (as defined in subsection (l)) and any other ambulatory services which are offered by a rural health clinic (as defined in subsection (l)) and which are otherwise included in the plan;".

(b) Section 1905 of such Act is amended by adding after subsection (k) the following new subsection:

"(l) The terms 'rural health clinic services' and 'rural health clinic' have the meanings given such terms in section 1861(aa) of this Act.".

(c) Section 1902(a) of such Act is amended—

(1) by striking out the semicolon at the end of paragraph (13) and inserting in lieu thereof ", and",

and by adding at the end of such paragraph the following new subparagraph:

"(F) for payment for services described in section 1905(a)(2)(B) provided by a rural health clinic under the plan of 100 percent of costs which are reasonable and related to the cost of furnishing such services, on such other tests of reasonableness as the Secretary may prescribe in regulations under section 1833(a)(3) or, in the case of services to which those regulations do not apply, on such tests of reasonableness as the Secretary may prescribe in regulations under this subparagraph"; and

(2) by inserting ", or by reason of the fact that the plan provides for payment for rural health clinic services only if those services are provided by a rural health clinic" before the semicolon at the end of paragraph (23).

(d) Section 1910 of such Act is amended—

(1) by amending the heading to read as follows:

"CERTIFICATION AND APPROVAL OF SKILLED NURSING FACILITIES AND RURAL HEALTH CLINICS";

(2) by striking out "(a)" and inserting in lieu thereof "(a)(1)";

(3) by striking out "(b)" and inserting in lieu thereof "(2)"; and

(4) by adding at the end thereof the following new subsection:

"(b)(1) Whenever the Secretary certifies a facility in a State to be qualified as a rural health clinic under title XVIII, such facility shall be deemed to meet the standards for certification as a rural health clinic for purposes of providing rural health clinic services under this title.

"(2) The Secretary shall notify the State agency administering the medical assistance plan of his approval or disapproval of any facility which has applied for certification by him as a qualified rural health clinic.".

(c) Section 1866(c)(2) of such Act is amended by striking out "section 1910" and inserting in lieu thereof "section 1910(a)".

DEMONSTRATION PROJECTS

SEC. 3. (a) The Secretary of Health, Education, and Welfare shall provide, through demonstration projects, reimbursement on a cost basis for services provided by physician-directed clinics in urban medically underserved areas for which payment may be made under title XVIII of the Social Security Act and, notwithstanding any other provision of title XVIII, for services provided by physician assistants and nurse practitioners employed by such clinics which would otherwise be covered under such title if provided by a physician.

(b) The demonstration projects developed under subsection (a) shall be of sufficient scope and carried out on a broad enough scale to allow the Secretary to evaluate fully—

(1) the relative advantages and disadvantages of reimbursement on the basis of costs and fee-for-service for physician-directed clinics employing physician assistants and nurse practitioners;

(2) the appropriate method of determining the compensation for physician services on a cost basis for the purposes of reimbursement of services provided in such clinics;

(3) the appropriate definition for such clinics;

(4) the appropriate criteria to use for the purposes of designating urban medically underserved areas; and

(5) such other possible changes in the present provisions of title XVIII of the Social Security Act as might be appropriate for the efficient and cost-effective reimbursement of services provided in such clinics.

(c) Grants, payments under contracts, and other expenditures made for demonstration projects under this section shall be made in appropriate part from the Federal Hospital Insurance Trust Fund (established by section 1817 of the Social Security Act) and the Federal Supplementary Medical Insurance Trust Fund (established by section 1841 of the Social Security Act). Grants and payments under con-

tracts may be made either in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made in such installments and on such conditions as the Secretary finds necessary to carry out the purpose of this section. With respect to any such grant, payment, or other expenditure, the amount to be paid from each trust fund shall be determined by the Secretary, giving due regard to the purposes of the demonstration projects.

(d) The Secretary shall submit to the Congress, no later than January 1, 1981, a complete, detailed report on the demonstration projects conducted under subsection (b). Such report shall include any recommendations for legislative changes which the Secretary finds necessary or desirable as a result of carrying out such demonstration projects.

REPORT BY THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE ON MENTAL HEALTH CENTERS

SEC. 4. (a) The Secretary of Health, Education, and Welfare shall submit to the Congress, no later than April 1, 1978, a report on the advantages and disadvantages of extending coverage under title XVIII of the Social Security Act to urban or rural mental health centers.

(b) The report submitted under subsection (a) shall include evaluations of—

(1) the need for title XVIII coverage of services provided by mental health centers;

(2) the extent of present utilization of such centers by individuals eligible for benefits under title XVIII;

(3) alternatives to services provided by such centers presently available to individuals eligible for benefits under title XVIII;

(4) the appropriate definition for such centers;

(5) the types of treatment provided by such centers;

(6) present Federal and State funding for such centers;

(7) the extent of coverage by private insurance plans for services provided by such centers;

(8) present and projected costs of services provided by such centers;

(9) available methods for assuring proper utilization of such centers;

(10) the effect of allowing coverage for services provided by such centers on other providers and practitioners; and

(11) the need for any demonstration projects for further evaluation of the need for coverage for services provided by such centers.

ACCESS TO CERTAIN TAX RETURN INFORMATION BY THE NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

SEC. 5. Section 6103(m) of the Internal Revenue Code of 1954 (relating to disclosure of taxpayer identity information) is amended—

(1) by striking out "and" at the end of paragraph (1);

(2) by striking out the period at the end of paragraph (2) and substituting ", and"; and

(3) by adding at the end thereof the following new paragraph;

"(3) upon written request, to disclose the mailing address of taxpayers to officers and employees of the National Institute for Occupational Safety and Health solely for the purposes of locating and determining the vital status of workers who are, or may have been, exposed to occupational hazards and referring sick or injured workers for medical care and treatment.".

EFFECTIVE DATES

SEC. 6. (a) The amendments made by section 1 of this Act shall apply to services rendered on or after the first day of the third calendar month which begins after the date of enactment of this Act.

(b)(1) The amendments made by section 2 of this Act

shall (except as otherwise provided in paragraph (2)) apply to medical assistance provided under a State plan approved under title XIX of the Social Security Act on and after the first day of the first calendar quarter that begins more than six months after the date of enactment of this Act.

(2) Notwithstanding the provisions of paragraph (1), in any case in which legislation is required in order to conform a State plan for medical assistance with the requirements imposed by reason of the amendments made by section 2 of this Act (as determined by the Secretary), such State plan shall not be regarded as failing to comply with the requirements of title XIX of the Social Security Act solely on the basis of such failure to meet the requirements imposed by such amendments at any time prior to the first day of the first calendar quarter that begins after the close of the first regular session of the State legislature which begins after the date of enactment of this Act.

SPACE CENTER MEMORIAL HOSPITAL, NASSAU BAY, TEXAS

SEC. 7. The Secretary of Health, Education, and Welfare is hereby directed to acquire the Space Center Memorial Hospital in Nassau Bay, Texas, for the purpose of transferring the activities and functions from the Public Health Service Hospital in Galveston, Texas, to such facility and upon completion of such transfer the Secretary is author-

ized to close the Public Health Service Hospital in Galveston, Texas.

Passed the House of Representatives October 17, 1977.

Attest: EDMUND L. HENSHAW, JR.,
Clerk.

Passed the Senate with amendment October 19, 1977.

Attest: J. S. KIMMITT,
Secretary.

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95TH CONGRESS
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